

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

UNITED STATES OF AMERICA )  
v. ) No. 3:94-00104  
KWAVENY SMITH ) JUDGE NIXON  
ROY J'DON WOODS )

## **ORDER SUBSTITUTING RESTITUTION RECIPIENT**

Judgment was entered as to defendant Roy J'Don Woods on January 31, 1995 (Docket Entry No. 31), wherein restitution in the amount of \$2,050.00 was ordered to be paid jointly and severally with Defendant Kwaveny Smith<sup>1</sup> to AT&T (Universal Card Services).

Based upon information provided to the Clerk's Office, it appears that AT&T Universal Card Services has merged under the charter and title of Citibank.

Accordingly, the aforementioned Judgment and pretrial diversion agreement in this case are hereby amended to reflect that the name of the restitution recipient is Citibank. The restitution balance of \$1,159.96 shall be paid to Citibank.

The Court's authority to substitute the victim's name in the judgment is drawn from the All Writs Act (28 U.S.C. §1651 (a)), which expressly authorizes a federal court to issue such orders "as may be necessary or appropriate to effectuate and prevent the frustration of orders it has previously issued in its exercise of jurisdiction otherwise obtained."

IT IS SO ORDERED.

**JOHN T. NIXON  
UNITED STATES SENIOR DISTRICT JUDGE**

<sup>1</sup>A pretrial diversion agreement as to Defendant Kwaveny Smith was entered on February 15, 1995 (Docket Entry No. 32), ordering Defendant Smith to pay \$4,950.00, payments of which have been prorated amongst the victims.